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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FAISA KAAID and JUBRAN NAGI
MUZAID, dba FRIENDLY MARKET,

Plaintiffs,

v.

UNITED STATES OF AMERICA and
DOUGLAS G. PERRY; In His Capacity As
The Administrative Review Officer Of The
Administrative Review Division Of The
United States Department Of Agriculture
Food and Nutrition Service

Defendants.

No. 12-1507 EDL

STIPULATION AND ~~[PROPOSED]~~
ORDER GRANTING EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S
COMPLAINT AND CONTINUING
INITIAL CASE MANAGEMENT
CONFERENCE

Defendants United States of America and Douglas G. Perry ("Defendants") and Plaintiffs
Faisa Kaaaid and Jubran Nagi Muzaid ("Plaintiffs"), by and through their respective counsel,
stipulate to extend the time for Defendants to respond to Plaintiffs' Complaint
pursuant to Civil Local Rule 6-1 of the Northern District of California, and further respectfully
request that the Court continue the Initial Case Management Conference that has been scheduled
in the above-captioned matter for July 10, 2012, at 10:00 a.m., until August 7, 2012, at 10:00

1 a.m. In accordance with Local Civil Rule 6-2(a), this stipulation is supported by the Declaration
2 of Ann Marie Reding and a proposed order, which is filed herewith. The parties stipulate as
3 follows:

4 1. On March 26, 2012, Plaintiffs filed their Complaint in this Court. On the same
5 date, the Court scheduled an Initial Case Management Conference for July 10, 2012, at 10:00
6 a.m. *See* Docket Nos. 1 and 3.

7 2. On May 3, 2012, the U.S. Attorney's Office received a copy of Plaintiffs'
8 Complaint by certified mail. *See* Declaration of Ann Marie Reding ("Reding Decl."), ¶ 3.

9 3. Pursuant to 5 U.S.C. § 552(a)(4)(C), Defendants' response to the Complaint is
10 presently due to be filed and served on July 2, 2012. *Id.* at ¶ 4.

11 4. On June 21, 2012, counsel for Defendant informed Plaintiffs' counsel that her
12 agency contact will be on vacation the week of June 25, 2012, and that defense counsel will be
13 out of state from June 29, 2012 through July 6, 2012. *See id.* at ¶ 5. Defense counsel further
14 represented that she only received a copy of the administrative file in this action on June 20,
15 2012. *Id.*

16 5. Based on the unavailability of defense counsel and her agency contact, as well as
17 the fact that defense counsel only very recently obtained a copy of the administrative record in
18 this matter, the parties have agreed to stipulate to an extension of time from July 2, 2012 to July
19 13, 2012 for Defendants to file a responsive pleading in this matter. *See id.* at ¶ 6. The parties
20 have further agreed to stipulate to a request to move the Initial Case Management Conference for
21 thirty days to August 7, 2012. *Id.*

22 6. No prior extensions of time have been requested or granted. *See id.* at ¶ 7.

23 7. The only effect the requested time modification will have on this case is to delay
24 the Initial Case Management Conference for thirty days. *See id.* at ¶ 8.

25 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants
26 that Defendants will have until July 13, 2012 to respond to Plaintiffs' Complaint and the parties
27 agree to request that the Court vacate the July 10, 2012 Initial Case Management Conference in
28

1 this action and set the Initial Case Management Conference for August 7, 2012.

3 DATED: July 21, 2012

Respectfully submitted,

4 /s/ Earl D. Johnson
5 EARL D. JOHNSON
6 Attorneys for Plaintiff

7 DATED: July 21, 2012

Respectfully submitted,

8 MELINDA HAAG
9 United States Attorney

10 /s/ Ann Marie Reding
11 ANN MARIE REDING
12 Assistant United States Attorney

12 ~~PROPOSED~~ ORDER

13 Plaintiffs and Defendants' stipulated request to extend the period of time for Defendant to
14 file a responsive pleading and continue the Initial Case Management Conference is hereby
15 **GRANTED**. Defendants will have until July 13, 2012 to respond to Plaintiffs' Complaint. The
16 Initial Case Management Conference scheduled for July 10, 2012 at 10:00 a.m. is hereby
17 vacated. The new Initial Case Management Conference is scheduled for August 7, 2012 at 10:00
18 a.m. A joint case management statement shall be filed one week prior to the conference.

19
20 Date: June 25, 2012

